

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES	)	
COMPANY FOR CERTIFICATES OF PUBLIC	)	CASE NO.
CONVENIENCE AND NECESSITY AND	)	2016-00026
APPROVAL OF ITS 2016 COMPLIANCE PLAN	)	
FOR RECOVERY BY ENVIRONMENTAL	)	
SURCHARGE	)	

ORDER

On March 10, 2016, Kentucky Utilities Company ("KU") filed with the Commission a petition requesting approval to deviate from the notice requirements of 807 KAR 5:011, Section 8(2)(b)(3), relating to newspaper publication. KU states that on January 12, 2016, prior to filing its application in this case, it delivered to the Kentucky Press Service, Inc., a notice of the filing of its application for publication in newspapers in KU's service area with instructions that the notice be published once a week for three consecutive weeks, with the first publication made prior to the January 29, 2016 filing of KU's application as required by 807 KAR 5:011, Section 8(2)(b)(3). However, two local newspapers failed to publish KU's notice prior to January 29, 2016, but did publish KU's notice for three consecutive weeks beginning the first week of February. Additionally, 13 local newspapers failed to publish KU's notice for three consecutive weeks as KU had requested. In an effort to remedy the deficiencies, additional notices were published in the 13 newspapers so that KU's notices were published three times within a four-week period, rather than published once a week for three consecutive weeks.

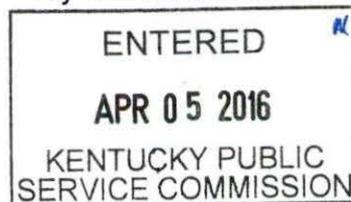
Further, after KU arranged for publication of the notice in the *Hickman County Gazette*, the *Hickman County Times* notified KU and asserted that legal notice should be published in the *Hickman County Times*. Out of an abundance of caution, KU arranged for publication of the notice in the *Hickman County Times* once a week for three consecutive weeks beginning on February 3, 2016.

In addition to publishing notice in newspapers of general circulation in its service areas, including the newspapers with the largest circulation in the state, the *Lexington Herald-Leader* and the *Louisville Courier-Journal*, KU states that it posted the notice for public inspection at its office and place of business, as well as on its website. KU also included a general statement explaining the application in this case with the bills for all Kentucky retail customers during the course of their regular monthly billing cycle beginning with bills issued after January 29, 2016.

Having reviewed the petition and being otherwise sufficiently advised, the Commission finds that KU substantially complied with the publication of notice requirements, and that KU has shown good cause to deviate from the requirements set forth in 807 KAR 5:011, Section 8(2)(b)(3).

IT IS THEREFORE ORDERED that KU's petition to deviate from the notice requirements of 807 KAR 5:011, Section 8(2)(b)(3), is granted.

By the Commission



ATTEST:

  
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